

**Council on Educational Services for Exceptional Children**  
**Meeting Minutes**  
**September 16, 2009**

Members Present

Bob	Atwater	
Sonja	Brown	
Odell	Clanton	
Jana	Griggs	
Susan	Humbert	
Nicole	Jimerson	
Shary	Maskel	
Ann	Maxwell	
Doris	McCain	
Teresa	Mebane	
Linda	Nelson	
Thomasine	Hardy	for Dwight Pearson
Lisa	Phillips	
Kathy	Blakenship	for Joe Sutton
Laura	Wiley	
Cynthia	Wilson	
Mark	Yost	

Visitors

Cynthia	Daniels-Hall
Ellen	Russell
Melinda	Pryor
Jean	Proctor

Members Absent

Ester	High
Sally	Hunter
Cathy	Kea
Felix	Keyes
Sheila	Knapp
Jill	Scercy
Gloria	Upperman

DPI Staff / Presenters

Tish	Bynum
Vivian	James
Freda	Lee
Kate	Neale
Mary	Watson
Ira	Wolfe

**Welcome / Review of Agenda / Approval of Minutes**

Sonja Brown, Chairperson, opened the meeting with introductions of members and guests. New member, Lisa Phillips from the SERVE Center at UNC Greensboro (McKinney-Vento Homeless Assistance Act representative) introduced herself and provided a brief professional background. It is noted that this representative position on the Council is federally mandated.

At the July Council meeting, the Council decided to submit a letter of recommendation to the State Board of Education regarding changes to the Occupational Course of Study (OCS). The Council believes the proposed changes will be harmful to students with disabilities in the OCS program. A copy of the letter of recommendation was provided in Council materials today.

The July meeting minutes were approved by a motion from Doris McCain and seconded by Teresa Mebane.

## **Indicator 7 – Setting Targets for State Performance Plan (the process) – Vivian James**

Vivian James is the NC DPI Preschool Consultant. Early childhood outcome measures are Indicator 7 in the State Performance Plan (SPP). The following information will be included in the SPP submission in February 2010, Indicator 7 will have baseline data; targets for two years; and improvement activities for two years. Actual data will be reported in 2011 and 2012 in the Annual Performance Report (APR). The same measuring system must be used by early intervention, infant-toddler and preschool.

In 2006, a preschool stakeholder group was formed to discuss how to measure outcomes. The stakeholder group decided to adopt the OSEP Child Outcome Summary Form (COSF). This allows LEAs to utilize a variety of initial and on-going assessment processes and instruments. The COSF is applied to obtain a rating for each child at entry and exit of the program which results in a child being placed in an individual progress category for each of the three child outcomes.

There is a seven-point rating scale comparing the child's functioning to what is expected at his/her age level. The team summarizes multiple data sources to determine a progress rating category. The rating is not an assessment. The OSEP categories describe types of progress children can make between entry and exit. Two ratings (entry and exit) are needed to calculate the OSEP progress category.

There are five possible progress categories:

- a. Percent of children who did not improve functioning.
- b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers.
- c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach it.
- d. Percent of children who improved functioning to reach a level comparable to same-aged peers.
- e. Percent of children who maintained functioning at a level comparable to same-aged peers.

The 2006 stakeholder group developed recommended assessments and curricula for LEAs. There is a website for online COSF training ([www.osr.nc.gov](http://www.osr.nc.gov)) and an annual refresher class. Also, there is a huge learning curve from "teacher of the IEP" to "teaching from the general curriculum."

The 2009 stakeholder group is charged to look at the outcomes and review the whole system that was developed in 2006. The 2009 stakeholder group will present information to the Council in December and ask the Council's assistance with setting SPP targets for early childhood outcomes.

## **Dispute Resolution Reports and Changes to Policies**

Facilitated IEP Team meetings or "facilitation" is not a federal requirement but a NC program that is enormously successful. During 2008-09, 155 requests for facilitated IEP meetings were received. Out of the total requests, 94 met the criteria for needing facilitation and over 70% reached consensus on all issues. When facilitation is scheduled; everyone understands the facilitator is neutral; there is an agenda; everyone contributes to discussion; and decisions are made by consensus. The facilitator is not an advocate.

The Mediation program received 57 requests in 2008 - 2009. 83% of mediations held reached agreement. The number of mediation requests is reducing annually. LEAs may need another publicity blitz. Mediations are very successful before the situation reaches a due process hearing.

Every year NC receives approximately 50 – 60 due process hearing requests; however, only four to six cases each year reach full adjudication.

Formal state complaints – 97 submitted in 2008-2009; reports were issued on 74. The most popular issue in a state complaint is failure to implement the IEP. In general it will usually relate to general education not providing accommodations and/or modifications.

The EC Division is responsible for completing state complaint reports within 60 days unless extended for appropriate reasons. EC Division had 100% compliance for the first time in 2008-2009.

### **Changes to Policies**

Changes to the Policies are related to clarification and inclusion of changes to the federal regulations. Now the parent may revoke all special education services. EC Division is recommending to LEAs that they provide the parent(s) a notice of terminating services and notify them of all the rights given up by revoking services.

The biggest change to Policies relates to children removed from school due to disciplinary issues. EC children must receive educational services during a long-term suspension while regular ed children do not. If a parent revokes services and later wants services, it is treated as an initial referral.

There is a State legislative change around discipline, House Bill 12. Some changes relating to House Bill 12 were incorporated last year. This year legislation passed setting an additional standard for determining a basis of knowledge (i.e. clear and convincing evidence). There should be alternative education settings in all LEAs, i.e. homebound must not be the only alternative setting. The Council would like to receive a copy of Policies and Guiding Practices.

### **Graduation Exit Standards and Students with Disabilities**

Freda Lee, NC DPI Consultant, presented to the Council the Future Ready Core Course of Study for 2009-10. The State requires 21 credit units to graduate (an LEA may require more). Currently, too few EC children are attending universities.

To graduate, students must take four math courses. All students must, at the minimum, pass Algebra I and geometry **OR** Integrated Math I and II **OR** Algebra I and II. A fourth math is now required for admittance into the university system. Integrated math is not tech math. Integrated math takes concepts of Algebra I and geometry into an integrated class. If the fourth math is a career tech ed class, such as drafting, engineering, or accounting, the student would be eligible for admission to the community college system.

The State Board of Education allows LEAs to have a math substitute process in the rare instance where a student will be exempt from the Future Ready Core curriculum when it is believed a different path is appropriate. The substitution committee (not the IEP Team) must determine all the ramifications for each student.

Students need practical math skills. More importantly, students need financial literacy. The goals and objectives of these two courses are available online. CTE classes can be a

substitute for Applied Math I and II. The State Board of Education provides a list of 32 courses on the website of CTE classes that can substitute for Applied Math I and II.

A state law provides that a student with a disability may be exempted from Algebra I. When the law came about Algebra I was the highest mathematics. Taking Algebra I is in the best interest of any child.

The graduation project is delayed again. However, 84 schools are participating voluntarily.

Future Ready Core also applies to Occupational Course of Study (OCS) students. OCS requires completion of English I – IV. English I is aligned closely to the Standard Course of Study (SCOS) and focuses on literature. English II is exactly the same as the SCOS relative to essential standards and clarifying objectives; however, the End-of-Course (EOC) Tests are different. Teachers of English II are under pressure because of the EOC Tests. Initially, low passing rates are expected. English III and IV are concentrated for the world of work such as completing job applications, resume writing, etc.

OCS requires three mathematics; Intro to Math, high school Math A and financial management. The Math A course is exactly like the SCOS except for the EOC test. Two Sciences are required; Applied Science and Biology I. Biology I is aligned with SCOS. Two Social Studies (I and II) and Occupational Prep (I – IV) are required.

OCS students must also complete unpaid school and community-based training experiences, and secure competitive paid employment in an integrated setting. Integrated setting is not a sheltered workshop. It means employment with nondisabled peers and paid at least minimum wage. The competitive employment may be with or without supports, such as job coaches.

## **Agency Update**

The legislature, due to budget crisis, decided to eliminate some tests – computer skills competency, physics, and chemistry. This raises some issues with students that have already failed a test that was eliminated - will they still receive a diploma? For the next five years, students that may have been denied a diploma, for this reason only, may come back to high school and receive a diploma. There is a concern regarding notification to effected students. Everyone is encouraged to help spread the word.

- Mary Watson provided a memo regarding the elimination of competency tests in reading, mathematics, computer skills and their alternate assessments. The EC Division believes these changes will benefit children with disabilities.
- New administration at US Dept. of Education, Arne Duncan - one major initiative is seclusion and restraint for ALL students. NC is a national leader in this area. NC legislation has already passed, HB 1032. This law provides specificity and is being looked at as a national example.
- NC is tightening its belt – doing more with less. Staff are taking optimistic viewpoint to delivery high-level services with less.
- Summer Institutes sponsored by DPI were discontinued, but EC Division still provided professional development via LEA hosting regional trainings.
- State Superintendent, June Atkinson, is now in charge of DPI and Bill Harrison is the Chairman of State Board.

- The 59<sup>th</sup> conference will take place since cancellation costs of conferences scheduled through June 30, 2010 were too expensive to cancel. However the agency has cancelled all conference scheduled after June 30, 2010. EC Division is unable to plan for the 60<sup>th</sup> conference.
- The 59<sup>th</sup> conference will focus on “home grown” talent. NC has some of the best nationally in PBS, Autism, and low incidence.
- Council members may receive free general conference admission.
- October is disability awareness month. There are recommendations within the state law on how to observe it. The bill will be posted on Division website.
- EC Division now has Spanish version of Procedural Safeguards: Handbook on Parents’ Rights on the website.
- SPP/APR – in Dec, EC Division will have data from some Indicators and request that Council review the targets. The Council is the stakeholder committee. The Feb. 2010 submission will be based upon 2008-09 school year data.
- NC Vocational Rehabilitation, more so than any other state, has really increased its transitioning assistance to students with disabilities.

Meeting adjourned.